

Wis., August 5, 1924, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the said article, and for the further reason that a valuable constituent of the article, to wit, butterfat, had been in part abstracted therefrom.

On October 5, 1924, the Rice Lake Creamery Co., Rice Lake, Wis., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so as to remove the excess water and raise the percentage of butterfat to not less than 80 per cent.

HOWARD M. GORE, *Secretary of Agriculture.*

12755. Misbranding of Hooper's anodyne. U. S. v. 57 Bottles of Hooper's Anodyne. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 18791. I. S. No. 13075-v. S. No. E-4847.)

On June 20, 1924, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 57 bottles of Hooper's anodyne, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the O. P. Hooper Chemical Co., from Chester, Pa., and had been received in part June 3 and in part June 6, 1922, at New York, N. Y., having been transported from the State of Pennsylvania into the State of New York, and charging misbranding in violation of the food and drugs act. The article was labeled in part: (Bottle) "Administered To Children Suffering From Colic Summer Complaint or Teething It Produces A Most Wonderfully Beneficial Effect. * * * For Violent Colic * * * In Teething"; (carton) "For Babies Relieves Colic, Aids Digestion * * * makes Teething Easy * * * Invigorates The Stomach And Bowels, Prevents Vomiting, Also Inflammation Of The Stomach And Gives Tone And Energy To The Whole System. Will almost instantly Relieve * * * Colic."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of morphine hydrochloride, glycerol, sugar, salicylic acid, and water, flavored with an essential oil, such as spearmint oil.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements appearing on the labels, regarding the article and the ingredients and substances contained therein and the curative and therapeutic effect thereof, were false and fraudulent.

On September 30, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Secretary of Agriculture.*

12756. Adulteration of shell eggs. U. S. v. 20 Cases of Shell Eggs. Decree of forfeiture. Product released under bond. (F. & D. No. 18968. I. S. No. 18348-v. S. No. E-4932.)

On or about August 21, 1924, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 20 cases of shell eggs, remaining in the original unbroken packages at Raleigh, N. C., consigned by the Bristol Produce Co., Bristol, Va., alleging that the article had been shipped from Bristol, Va., on or about August 21, 1924, and transported from the State of Virginia into the State of North Carolina and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in substance in the libel for the reason that it contained 12 per cent of decomposed eggs.